IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE EIGHTH DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE V.V.S.RAO

WRIT PETITION NO.16843 of 2001

Between:

Madakam Ramaiah S/o. Suraiah
R/o. Badisavarigumpu, Gowridevipet Panchayat,
Bhadrachalam Mandal, Khammam District.

...PETITIONER

AND

1 The Election Officer,
Gowdidevipet Panchayat, Bhadrachalam Mandal,
Khammam District.
2 Irpa Bhadraiah S/o. Veeraiah
R/o. Mummadivaram Colony, Gowridevipet Panchayat,
Bhadrachalam Mandal, Khammam District.
3 Sub-Collector (FAC)
Bhadrachalam, Khammam District.

...RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ, Order or direction more in the nature of Mandamus declaring the action of the 3rd respondent in passing order in Appeal petition No.3/2001 dt.7.8.2001 as highly arbitrary, illegal and without having any power and jurisdiction and also contrary to the provision of the A.P.Panchayat Raj Act, 1994 and the Rules Made there under and to declare the petitioner is entitled to contest in the election.

Counsel for the Petitioner: MR.P.V.RAMANA

Counsel for the Respondents: ADVOCATE GENERAL

The Court made the following:

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ORDER:

The petitioner is a resident of Badisavarigumpu of Gowridevipeta Panchayat. On the eve of Elections to Gram Panchayat on 14.08.2001, the petitioner submitted nomination for 8th ward member. The same was accepted as valid. However, on an appeal by the second respondent, the third respondent held that the petitioner's nomination has to be rejected as he allegedly incurs disqualification under Section 19(3) of the A.P.Panchayat Raj Act, 1994. Assailing the same, the present Writ Petition is filed. This Court while admitting the Writ Petition suspended the impugned order of the third respondent. It is brought to my notice that by virtue of interim order, the petitioner contested the Election. Therefore, nothing survives in the Writ Petition.

The Writ Petition is accordingly dismissed as infructuous.

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(V.V.S.RAO, J)

8th September 2004

RRB

ASSISTANT REGISTRAR

//True Copy//

SECTION OFFICER

Copy To:

1 The Election Officer,
Gowdidevipet Panchayat, Bhadrachalam Mandal,
Khammam District.
2 Irpa Bhadraiah S/o. Veeraiah
R/o. Mummadivaram Colony, Gowridevipet Panchayat,
Bhadrachalam Mandal, Khammam District.
3 The Sub-Collector (FAC)
Bhadrachalam, Khammam District.

4. Two CCs to Advocate General, High Court Buildings, Hyderabad (OUT).

5. Two CD copies.